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October 29, 2004

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

Re: Colonial Gas Company, D.T.E. 04-86

Dear Mrs. Cottrell:

Enclosed please find an original and three (3) copies of the Motion to Intervene of Bay State Gas Company.

Very truly yours,

Robert L. Dewees, Jr.

RLD/pjm
Enclosure

cc: John J. Geary, Hearing Officer
Patricia Crowe

)	
Petition of Colonial Gas Company)	
d/b/a KeySpan Energy Delivery)	
for approval of recovery of exogenous)	
costs resulting from the Department's)	D.T.E. 04-86
change in policy regarding the recovery)	
of lost base revenues associated with)	
demand-side management programs.)	
)	

Pursuant to 220 C.M.R. §1.03, Bay State Gas Company (“Bay State”) hereby moves that the Department of Telecommunications and Energy (“Department”) grant it leave to intervene as a full party in this proceeding. In support of its motion to intervene, Bay State states the following:

- BOS1431093.1

5. The Department has discretion to allow any person to intervene as a party if that person is “substantially and specifically affected” by the proceeding. G.L. c. 30A, § 11 and 220 C.M.R. §1.03.

6. Bay State is substantially and specifically affected in this proceeding because:

a. the outcome of this proceeding may directly impact Bay State’s pending petition in D.T.E. 04-57 before the Department; and

b. the recovery of exogenous costs that the Department may or may not endorse for its jurisdictional companies, and apply to Bay State in the future, may be impacted by the Department’s findings and analysis in this proceeding.


7. No other party can adequately protect Bay State’s interests.

WHEREFORE, for these reasons, Bay State respectfully requests that the Department grant its motion for leave to intervene as a full party and take such further action as it may deem necessary and appropriate.

Respectfully submitted,

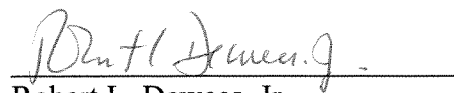
BAY STATE GAS COMPANY

By its attorneys,



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and

A handwritten signature in cursive script, appearing to read "Robert L. Dewees, Jr.", is written over a horizontal line.

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Dated: October 29, 2004